

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 21 SEPTEMBER 2026**

CABINET

Tuesday, 8 September 2026

PRESENT – Councillors Harker (Chair), McCollom, McEwan, Porter, Curry, Roche and Wallis

APOLOGIES – Councillors Garner

ALSO, IN ATTENDANCE – Councillor Culley

C33 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

C34 DEATH IN SERVICE - CHER WIGGLESWORTH

The Executive Director of Resources and Governance submitted a report (previously circulated) informing Cabinet of the recent sad death in service on 22 July 2026 of Cher Wigglesworth who was employed as a social worker in Assessment & Safeguarding Team East (Children's services) and was a very valued member of team.

It was also with great sadness that Members were advised of the death of former-Councillor, former-Mayor and latterly Alderman, David Lyonette, who passed away on Monday, 31st August 2026.

As a mark of respect, Cabinet observed a short silence in memory of Cher Wigglesworth and former-Councillor, former-Mayor and Alderman, David Lyonette.

RESOLVED - That it is with great sadness that the recent death in service of Cher Wigglesworth, a respected and valued employee of the Council, be noted.

REASON - To make Members aware of the recent death in service.

**C35 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON
ITEMS ON THIS CABINET AGENDA.**

Representations were made by a Member of the Council to the Matters Referred to Cabinet item and by a member of the public to the Revenue and Budget Monitoring Report – Quarter 1.

C36 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 13 JULY 2026

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 13 July 2026.

RESOLVED – That the Minutes be confirmed as a correct record.

REASON – They represent an accurate record of the meeting.

C37 MATTERS REFERRED TO CABINET

The question was referred to this Cabinet Meeting from the Council Meeting on the 13 July 2026 for reconsideration.

A member of the Council made a representation to this item at the meeting; discussion was held and the Leader of the Council responded thereon.

C38 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues arising from Scrutiny considered at this meeting.

C39 KEY DECISIONS: -

C40 COMMENCEMENT OF WORK ON A JOINT TEES VALLEY MINERALS AND WASTE LOCAL PLAN

The Cabinet Member with the Economy Portfolio introduced the report of the Executive Director of Economy and Public Protection in order to meet the Council's statutory duty to prepare a development for the area, it is necessary to commence work on the Tees Valley Joint Minerals and Waste Local Plan. The report explained that the current Tees Valley Joint Minerals and Waste Local Plan was adopted in September 2011 and is therefore significantly out of date and if a joint Minerals and Waste Plan is now prepared, individual authorities will need to include this in their own Local Plan.

The report set out how the new plan will provide an up-to-date statutory framework for managing mineral extraction, safeguarding mineral resources, waste management infrastructure, recycling facilities, landfill restoration, and associated development across the Tees Valley.

It was explained how Gateway 1 is the first of 3 mandatory gateways that support authorities in adopting a plan within 30 months. Gateway 1 involves self-assessing the readiness to start the 30-month plan preparation process and included the publishing of a self-assessment.

RESOLVED - It is recommended that Cabinet recommend that Full Council:-

- a) Approve the commencement of the preparation of the Tees Valley Joint Minerals & Waste Local Plan in accordance with the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2026
- b) delegates authority to the Executive Director of Economy and Public Protection in consultation with the Economy Portfolio Lead to:

- I. prepare, publish and submit a 'Notice of intention to commence the Tees Valley Joint Minerals & Waste Local Plan'
- II. publish and update the Tees Valley Joint Minerals & Waste Local Plan Timetable monthly (or as required), to ensure an up-to-date timetable is publicly available in accordance with Regulation 6 of the Town and Country Planning (Local Planning) (England) Regulations 2026
- III. undertake a 'scoping consultation' on the joint Tees Valley Joint Minerals & Waste Local Plan; and
- IV. produce all associated documentation to allow the joint Tees Valley Minerals and Waste Local Plan to progress through Gateway 1.

REASON - The recommendations are supported by the following reasons: -

- (a) In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026, Darlington Borough Council is required to review and update its planning policy framework relating to minerals and waste development.

C41 PUBLIC SPACES PROTECTION ORDER - DOG CONTROL

The Cabinet Member with the Stronger Communities Portfolio introduced the report of the Executive Director of Environment, Highways and Community Services to extend the current Public Spaces Protection Order (PSPO) covering dog control and to extend the number of areas covered by the PSPO.

The report explained how the PSPO for dog control was introduced in February 2021 and an amended order was granted in February 2024 and that the PSPO outlined that in public areas, people may be required to comply with the following; Keep your dog on a lead on specified land including East, West and North cemeteries, put your dog on a lead if you are told to by a police officer, civic enforcement officer, park ranger or someone from the council, stop your dog going onto land from which they are excluded such as parts of a park or a children's play area and clear up after your dog.

The report set out how having a PSPO in place allows appropriately trained staff to issue a fixed penalty notice if a person ignores the PSPO, the PSPO plays an important role in ensuring public safety and ensures dog owners take responsibility for cleanliness.

RESOLVED- It is recommended that:-

- (a) Cabinet agree to commence a consultation regarding extending the Public Spaces Protection Order- Dog Control for a further three years and expanding the number of areas that it covers.

C42 RED HALL PRIMARY SCHOOL - CAPITAL WORKS

The Cabinet Member with the Children and Young People Portfolio introduced the report of

the Executive Director of People to seek Cabinet's agreement (and subsequently Council) to release £928,305 to fund priority capital works at Red Hall Primary School to bring the school up to satisfactory condition, and so that the school can academise and be moved into the Education Village Academy Trust (EVAT).

The report explained how two condition surveys of Red Hall Primary, both undertaken by external consultants, have identified a significant amount of capital works as part of the due diligence process for academisation and how the Council as the responsible body, is required to ensure that the school is handed over in a safe and sound condition. The report proposes that the priority works identified in the survey are funded through council borrowing of £890,755 (plus a contribution of £37,550 from the DfE School Capital Allocation) in order for the academisation to go ahead and that the cost of the borrowing will be around £61,500 per annum over 30 years.

The report proposed that the capital funds are paid to the academy trust as a grant to undertake the identified works, this will allow them to meet the proposed academisation date of 1 January 2027 and will also ensure that any liability of costs overrun sits with the trust. The trust is aware that this will be a one-off payment and responsibility for future capital works will sit with the trust.

The report set out how if the request is not approved the Council would still have to find the funds to undertake all the necessary priority works, as the DfE grant is not sufficient, and it would retain responsibility for any subsequent capital works that arose. It stated that the priority works are currently estimated to be between £1.4m and £1.8m, EVAT is fully aware of the estimated cost range for the work needed and have considered this when requesting £0928m from the Council.

RESOLVED- It is recommended that Cabinet recommend to Council to approve and release £928,305 to EVAT to fund priority capital works at Red Hall Primary School.

REASON - The recommendation is supported by the following reasons: -

- (a) Agreement for the release of funding will bring the school up to a satisfactory condition and allow the academisation of Red Hall Primary School.
- (b) Department for Education best practice guidance suggest that councils are responsible for ensuring maintained schools are in a safe and sound condition prior to academisation. If the council does not meet its responsibilities the academisation will not proceed and the school would remain the council's responsibility, with the works still needing to be undertaken in the near future.

C43 ANNUAL REVIEW OF THE INVESTMENT FUND

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance updating Cabinet on progress against the agreed investments being funded through the Investment Fund.

The submitted report stated that in November 2016 the Council established an Investment Fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on

investment; the fund provision of £50m was being utilised as envisaged facilitating wide economic benefits as well as a direct impact on the Council's financial position; at the time when the report was written Cabinet had allocated £66.464m to the current live projects, with £40.358m remaining invested and there is £9.642m of the current fund allocated.

RESOLVED - It is recommended that Cabinet,

- (a) Note the use of the Investment Fund and the returns achieved through the Joint Venture vehicles.
- (b) Recommend to Council that the Investment Fund is increased by £10m to £60m, and that the operation of the increased overall fund is delegated to Cabinet in line with previous Council approval.

REASON - The recommendations are supported by the following reasons: -

- (a) To keep Cabinet informed of progress made on opportunities undertaken and investment returns.
- (b) To increase development opportunities and gain investment income for the Council.
- (c) To allow the revised fund to be established.
- (d) To enable Cabinet to consider detailed proposals, many of which are commercially sensitive.

C44 ACQUISITION OF 18 KING STREET

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) to seek Members approval for the acquisition of 18 King Street.

The report explained that in line with the Town Centre Regeneration Strategy and as part of the Strategic Sites Development Programme Darlington Town Centre, several properties in the Commercial Street were purchased and demolished in and around 2022 using Indigenous Growth Fund (IGF) to create a comprehensive development site.

It was clarified that a block of three properties on King Street were included in the intervention, two of the three properties were acquired at that time, and now an opportunity to acquire the remaining property with vacant possession has arisen and terms have been agreed in principle with the current tenants with secure tenancies being compensated to assist with relocation.

The report stated that to acquire this property it would complete the commercial street development site assembly as included in the development agreement with CityHeart and paves the way for redevelopment at pace. The acquisition also allows for the subsequent demolition of the three properties on King Street removing unsightly vacant properties from a public area in the short term and providing holding cost savings.

RESOLVED - The agreement of final terms of the acquisition to the Executive Director Economy and Public Protection which are summarised in the Part III report at Appendix 2

REASON - The recommendations are supported by the following reasons: -

- (a) To complete the site assembly of the Commercial Street development site and enable redevelopment of the site under the council's development agreement.
- (b) To enable the demolition of the three King Street properties together at a substantial

cost saving over demolition of the two already owned in isolation.

C45 COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2025/26

The Cabinet Member with the Resources Portfolio introduced the report (previously circulating) of the Executive Director of Resources and Governance providing Cabinet with the 2024/25 Complaints, Compliments and Comments Annual Reports for Adult Social Care, Children's Social Care, Corporate, Housing and Public Health (all also previously circulated).

The submitted report stated that in 2025/26 a total number of 780 complaints had been received, an increase from 747 in 2024/25, 226 compliments had been received, an increase from 219 in 2024/25; and 61 comments had been received, a increase from 45 in 2024/25.

RESOLVED - It is recommended that:

- (a) That Cabinet notes the content of and discusses the attached reports.
- (b) That Cabinet endorses the further recommendations made in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports.

REASON - The recommendations are supported by the following reasons:

- (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the resulting organisational learning.
- (b) To ensure the Council is:
 - i. Complying with the Children Act 1989 Representation Procedure (England) Regulations 2006;
 - ii. Complying with the Housing Ombudsman's Complaint Handling Code;
 - iii. Complying with the pre-inspection advice provided in anticipation of an inspection by the Regulator of Social Housing;
 - iv. Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code;
 - v. Complying with the Council's Complaints, Compliments and Comments Procedures; and
 - vi. To improve satisfaction with complaints handling.

C46 COMPLAINTS MADE TO LOCAL GOVERNMENT OMBUDSMAN

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS) since the preparation of the previous report to Cabinet on 09 September 2025 (providing the Annual Review Letter (also previous circulated)).

The submitted report set out in abbreviated form the decisions reached by the LGSCO and the HOS between 1 April 2025 and 31 March 2026 and outlined the actions taken as a result of those complaints.

RESOLVED - It is recommended that the contents of the report be noted.

REASON - The recommendations are supported by the reason that it is important that Members are aware of the outcome of complaints made to the LGSCO and the HOS in respect of the Council's activities.

C47 HOUSING SERVICES RENT SETTING POLICY

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance to approve the Housing Services Rent Setting Policy 2026-2031.

It was explained that the Housing Services Rent Setting Policy 2026-2031 sets out how rent levels and services charges for our Council homes are set within the regulatory guidelines, which; are affordable and meeting the needs and expectations of the tenants, ensure to meet financial and business plan commitments and objectives, provide cost effective and high-quality services to tenants, are in accordance with the terms and conditions of the Tenancy Agreement, licence or lease.

The report stated how the regulator of Social Housing (RSH) Rent Standard sets out the framework for rent policy and applies to all registered providers of social housing, including local authorities and how all registered providers of social housing must comply with the requirements and expectations of the Rent Standard and the government's rent policy statement.

To conclude the report, it was explained that the tenants panel had been consulted on the draft policy and they have given their full support alongside the Health and Housing Scrutiny Committee who agreed its onwards submission to Cabinet at the meeting on the 19th August 2026.

RESOLVED - It is recommended that Cabinet: -

- (a) Consider the contents of this report, and
- (b) Approve the Housing Services Rent Setting Policy 2026-2031 at Appendix 1.

REASON - The recommendations are supported by the following reasons:

- (a) The RSH, in its Rent Standard, sets out that all registered providers of social housing must comply with the requirements and expectations of the Rent Standard and the government's rent policy statement. This policy will ensure the Council meets the requirements of the Rent Standard.

C48 LAND AT MORTON PALMS BUSINESS PARK - PROPOSED DISPOSAL OF PLOT

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to seek approval to dispose of the plot of land at Morton Palms Business Park as show on the attached plan, subject to planning permission being obtained.

It was explained that the plot of land extents to 1.61ha (4.00 acres) or thereabouts, and it is intended that the land be developed to provide a food retail store, drive thru coffee facility and EV charging hub, with ancillary parking to serve development, all subject to planning permission.

The report stated that the proposed purchaser is a well-established developer with a good track record for delivery and the parcel of land identified occupies the corner plot of the business park with frontage overlooking the A66, and despite having been available over the years, little interest in the site has been materialised.

RESOLVED - It is recommended that:

- (a) Approval be granted to dispose of the plot of land at Morton Palms Business Park as indicated on plan Appendix 1.
- (b) The Director of Economy & Public Protection be authorised in consultation with the Cabinet Member for Resources Portfolio, to agree the terms in line with those set out in the Part III report, see Appendix 2.
- (c) The Assistant Director Law & Governance Monitoring Officer, be authorised to document the disposal accordingly.

REASON - The recommendations are supported by the following reasons:

- (a) To bring development forward and provide more job opportunities in Darlington, and
- (b) To achieve a Capital Receipt and Business Rates for the Council.

C49 LEASE OF PREMISES FOR AN EMPLOYABILITY HUB - ENTERPRISE HOUSE

The Cabinet Member with the Resources Portfolio introduce the report (previously circulated) of the Executive Director of Economy and Public Protection to seek approval to take a lease of Unit 3C & 3D Enterprise House, in Darlington for the purpose of providing a location for the Darlington Employability Hub and Council employability programmes.

It was proposed that Enterprise House will be the location for the Darlington Employment Hub and DBC employability programmes to enable all services to operate for a single central, accessible location as shown in the plan. It stated as part of the delivery of the Get Britain Working White Paper, the department for work and pensions funds the employability programmes and has pressed for the establishment of an Employability Hub in Darlington.

The report explained how the current premises at Bennet House basement inadequate and existing vacant council is owned premises were assessed as potential locations and were found unsuitable due to either accessibility issues, capital costs and/ or timescales for making premises suitable for the intended use.

To conclude the landlord of Enterprise House has committed to carrying out the fit out works as their own costs to enable immediate occupation of the premises and therefor timely delivery of the services and it is proposed that the Council takes a 6-year lease with a tenant break option at year 3 at Enterprise House and otherwise on terms which are assessed to be in line with the market. It stated how the rent would be paid from employability programmes funding.

RESOLVED - It is recommended that: -

- (a) Cabinet agrees to enter into a lease of Units 3C & 3D Enterprise House.
- (b) Cabinet agrees to delegate the approval of final lease terms to the Executive Director Economy and Public Protection which are summarised at Part III, Appendix 2.

REASON - The recommendations are supported by the following reasons: -

- (a) To enable the provision of the Darlington Employment Hub and delivery of employability programmes from a suitable and centralised location.
- (b) To meet Government objectives as set out in the Get Britain Working White Paper
- (c) To provide a fit for purpose, timely and cost-effective solution to delivery of employability services
- (d) The lease terms and rent are in line with the market and offer value for money

C50 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING - QUARTER 1

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Environment, Highways and Community Services and the Executive Director of Resources and Governance providing a summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme; an update on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to the programme.

The submitted report stated that the projected outturn of the current Capital Programme was £350.627m against an approved programme of £351.673m; the investment was delivering a wide range of improvements to the Council's assets and services; the programme, including commitments, remained affordable within the Medium Term Financial Plan (MTFP) for 2026/27 to 2029/30; the Council had 17 live projects, with an overall projected outturn value of £133.749m, the majority of which were running to time, cost and quality expectations, but were being monitored given the current pressures on resources in the construction sector nationally; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants source via an open/OJEU tender process.

RESOLVED - It is recommended that Cabinet:

- (a) Note the attached status position on construction projects.
- (b) Note projected capital expenditure and resources.
- (c) Approve the adjustments to resources as detailed in paragraph 23.

REASON - The recommendations are supported by the following reasons:

- (a) To inform Cabinet of the current status of construction projects.
- (b) To make Cabinet aware of the latest financial position of the Council.
- (c) To maintain effective management of resources.

C51 REGULATORY INVESTIGATORY POWERS ACT (RIPA)

The Cabinet Member with the Resources Portfolio introduced the report of the Executive Director of Resources and Governance (previously circulated) informing and updating

Members on issues relevant to the use of the Regulation of Investigatory Powers Act (RIPA) 2000; developments that have taken place since the last report to Cabinet in March 2025 and requesting that consideration be given to the RIPA Policy (also previously circulated).

The submitted report stated that the RIPA Act 2000 enabled local authorities to carry out certain types of surveillance activity as long as specified procedures were followed; the Investigatory Powers Act 2016 (IPA) was the main legislation governing the acquisition of communications data; the information obtained could be relied upon in court proceedings providing RIPA and IPA was complied with; and that no RIPA directed surveillance applications or IPA communications data applications had been authorised since the last report to Cabinet. It was reported that the RIPA Policy was attached for Members to consider and approve, in line with the Home Office Code of Practice which recommends an annual approval process.

RESOLVED - It is recommended that Members: -

- (a) Note the issues raised in the report
- (b) Approve the RIPA Policy at Appendix 1 to this report
- (c) Members receive further reports on the Council's use of RIPA and IPA and other associated issues.

REASON - The recommendations are supported by the following reasons: -

- (a) As stated in the Home Office Code of Practice, the RIPA Policy should be approved by Members on an annual basis.
- (b) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.
- (c) To help in raising awareness and giving transparency about the use of RIPA and IPA in this Council.

C52 REVENUE BUDGET MONITORING - QUARTER 1

The Cabinet Member with the Resources Portfolio introduced the report of the Executive Director of Resources and Governance (previously circulated) providing an early forecast of the 2026/27 revenue budget outturn as part of the Council's continuous financial management process.

The submitted report stated that it was the first revenue budget management report to Cabinet for 2026/27 and that the latest projections showed an overall decline of £2.726m on the 2026/30 Medium Term Financial Plan, which was due to £3.079m of departmental pressures and a decline in corporate resources of £0.219m, offset by £0.572m of additional balances following the 2025/26 outturn.

RESOLVED - It is recommended that: -

- (a) The forecast revenue outturn for 2026/27 be noted.
- (b) Further regular reports be made to monitor progress and take prompt action if necessary

REASON - The recommendations are supported by the following reasons: -

- (a) To continue effective management of resources.

- (b) To continue to deliver services to agreed levels

C53 TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2025/26

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing important information regarding the regulation and management of the Council's borrowing, investments and cash-flow; treasury activity for 2025/26; and seeking approval of the Prudential Indicator results for 2025/26 in accordance with the Prudential Code.

It was reported that the financial year 2025/26 was yet another unprecedented year with regard to treasury management due to a number of issues including the continuing conflict in Ukraine; events in the Middle East; inflation taking time to recover; the cost of borrowing continuing to rise steadily throughout the early part of the year; and that although the returns for cash investments had increased to higher interest rates they still remained below the cost of borrowing. The Council had complied with its legislative and regulatory requirements.

The submitted report summarised the Council's external debt as of 31 March 2026 was £167.597m which is £5.141m less than the previous year, this decrease relates to the repayment of a loan and not taking out any new borrowing due to slippage in capital schemes.

REASON - It is recommended that:

- (a) The outturn 2025/26 Prudential Indicators within this report and those in Appendix 1 be noted.
- (b) The Treasury Management Annual Report for 2025/26 be noted.
- (c) This report to be forwarded to Council, in order for the 2025/26 Prudential Indicators to be noted.

RESOLVED - The recommendations are supported by the following reasons:

- (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.
- (b) To inform members of the Performance of the Treasury Management function.
- (c) To comply with the requirements of the Local Government Act 2003.

C54 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C55 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

C56 QUESTIONS.

**DECISIONS DATED –
FRIDAY 11 SEPTEMBER 2026**